

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

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FARSHAD RABBENOU,

Plaintiff,

vs.

DAYAN FOODS, LTD. d/b/a MAIN  
EVENT CATERERS, MAIN EVENT-  
MAUZONE CATERERS, LLC, JOSEPH  
BODNER a/k/a JOEY BODNER,  
individually, MARTIN BODNER a/k/a  
MARTY BODNER, individually,  
EDWARD IZSO a/k/a EDDIE IZSO,  
individually JOHN DOES 1-10, and  
ABC CORPS. 1-10, fictitious names for  
persons or entities whose present roles  
and identities are unknown,

NOTICE OF REMOVAL

Defendants.

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Defendants, Dayan Foods, Ltd., Joseph Bodner, Martin Bodner, and Edward Izzo (named herein as Edward Izzo), by their attorneys, Raab, Sturm & Ganchrow, LLP., hereby file this Notice of Removal of the above-captioned action to the United States District Court for the District of New Jersey from the Superior Court of the State of New Jersey, County of Bergen, where the action is now pending, as provided by Title 28, United States Code, Chapter 89, and now states:

1. The action was commenced on or about December 19, 2016 under Index No.: BER-L-8826-16, in the Superior Court of the State of New Jersey, County of Bergen (Copies of the Civil Action Summons and Amended Complaint and Civil Case Information Statement (CIS) are annexed hereto as Exhibit "A").
2. The action is one of a civil nature seeking, inter alia, relief under the Fair Labor Standards Act ("FLSA") 29 U.S.C. Sections 207, 216(b), et seq. The matters in

dispute are ones in which the United States District Court has original jurisdiction under the FLSA, 29 U.S.C. Section 201, et seq, in that Plaintiff is suing an alleged employer alleged to be in interstate commerce for claimed unpaid overtime wages under the federal wage and hour statute.

3. This Court has original jurisdiction over the dispute pursuant to 28 U.S.C. 1331 and 1337.
4. Defendants will give written notice to the Superior Court of the State of New Jersey, County of Bergen, of the filing of this notice of removal as required by 28 U.S.C. §1446(d).
5. A copy of this notice of removal will be filed with the Clerk of the Superior Court of the State of New Jersey, County of Bergen, as required by 28 U.S.C. §1446(d).

**WHEREFORE**, Defendants pray for the removal of the above-captioned action from the Superior Court of the State of New Jersey, County of Bergen, to the United States District Court for the State of New Jersey.

DATED: Fort Lee, New Jersey  
February 23, 2017

RAAB, STURM & GANCHROW, LLP

BY: 

Ari Ganchrow

Attorneys for Defendants Dayan Foods,  
LTD., Joseph Bodner, Martin Bodner  
and Edward Izzo

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